

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

RANDY MAYO  
ADC #134578

PLAINTIFF

V. 5:06CV00179 WRW

RICK TONEY *et al.*

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion to dismiss filed by Ifediora and Stone (docket entry #9) is GRANTED, and Plaintiff's claims against Ifediora and Stone are DISMISSED WITHOUT PREJUDICE.
2. Ifediora and Stone's second motion to dismiss (docket entry #29) is DENIED AS MOOT.
3. The motion to dismissed filed by Toney and Davis (docket entry #11) is GRANTED, and Plaintiff's claims against Toney and Davis are DISMISSED WITHOUT PREJUDICE.
4. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.

DATED this 5<sup>th</sup> day of December, 2006.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE